

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

---

In re Patent Application of:  
Jürgen Huff et al.

Application No.: 10/578,824

Confirmation No.: 3863

Filed: May 9, 2006

Art Unit: 4161

For: MICROBICIDAL COMPOSITIONS AND  
THEIR USE

---

Examiner: Craig D. Ricci

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed July 3, 2008, Applicants hereby provisionally make the following elections with traverse. Applicants believe that there is no undue burden on the Examiner to search this invention.

In claim 3, Applicants provisionally elect alcohols as the microbicidally active component (B).

In claim 4, Applicants provisionally elect 2-bromo-2-nitropropane-1,3-diol as the active component (B).

In claim 7, Applicants provisionally elect suspension as the form of the composition.

Claims 1-9 are readable upon the elected species.

Applicants respectfully reserve all rights to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 C.F.R. 1.141 upon the allowance of a generic claim.

Applicants reserve all rights to pursue the non-elected species in one or more divisional application.